

HOUSE BILL REPORT

SHB 1058

As Passed Legislature

Title: An act relating to educational attainment of children in foster care.

Brief Description: Addressing educational attainment for foster children.

Sponsors: By House Committee on Children & Family Services (originally sponsored by Representatives Kagi, Boldt, McIntire, Nixon, Dickerson, Fromhold, O'Brien, Lantz, Linville, Kenney, Kessler, Clibborn, Talcott, Simpson and Wood).

Brief History:

Committee Activity:

Children & Family Services: 1/20/03, 2/5/03 [DPS].

Floor Activity:

Passed House: 2/12/03, 97-0.

Senate Amended.

Passed Senate: 4/9/03, 45-0.

House Concurred.

Passed House: 4/21/03, 97-0.

Passed Legislature.

Brief Summary of Substitute Bill

- Requires the Department of Social and Health Services to maximize the educational continuity and achievement for foster children.

HOUSE COMMITTEE ON CHILDREN & FAMILY SERVICES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Kagi, Chair; Darneille, Vice Chair; Boldt, Ranking Minority Member; Roach, Assistant Ranking Minority Member; Bailey, Dickerson, Miloscia, Pettigrew and Shabro.

Staff: Cynthia Forland (786-7152).

Background:

In 2002 legislation was enacted requiring the Department of Social and Health Services

(DSHS), in cooperation with the Office of the Superintendent of Public Instruction (OSPI), to convene a working group to prepare a plan for the Legislature addressing educational stability and continuity for school-age children entering short-term foster care, and assuring that the best interests of the child are a primary consideration in the school placement of a child in short-term foster care.

The DSHS reported to the Legislature on the recommendations developed by the working group in November 2002. The working group's recommendations included the following:

- The Children's Administration (CA) of the DSHS and the OSPI should develop a formal policy statement that maintains foster children in their home school whenever practical;
- Foster parent recruitment priorities should shift to develop more foster homes in school districts with high rates of foster care removal;
- An oversight committee consisting of staff from the CA, the OSPI, and advocacy agencies should be established to develop best practice standards to maintain foster children in their home school whenever practical; and
- The CA and the Administrative Office of the Courts (AOC) should work together to ensure educational stability is addressed during the shelter care hearing by the local CA social worker and the presiding Judge or Commissioner.

Summary of Substitute Bill:

It is the policy of the State of Washington that, whenever practical and in the best interest of the child, children placed into foster care must remain enrolled in the schools they were attending at the time they entered foster care.

The administrative regions of the DSHS must develop protocols with school districts specifying strategies for communication, coordination, and collaboration regarding the status and progress of foster children placed in the region, in order to maximize the educational continuity and achievement for foster children. The protocols must include methods to assure effective sharing of information consistent with current law concerning the exchange of student information.

The DSHS must establish an oversight committee, composed of staff from the CA, the OSPI, and advocacy agencies, to develop strategies for maintaining foster children in the schools they were attending at the time they entered foster care.

The DSHS must work with the AOC to develop protocols to ensure that educational stability is addressed during the shelter care hearing.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: (Original bill) There is an emotional and academic cost to removing children from their schools. When children are removed from their schools, it can be difficult to access their academic records and credits can be lost. Maintaining attendance at their schools will allow children to learn and develop in a stable environment, and access necessary supports. Collaboration among the DSHS, the schools, and the courts is essential in order to realize foster children's success in school. Efforts are underway, around the state, to maintain children in the schools they were attending prior to entering foster care. The OSPI is involved in some of those efforts.

(With comments) The DSHS should only be required to implement the bill subject to availability of funds. There is potential for this bill to make additional demands on foster parents, which should be avoided.

Testimony Against: None.

Testified: (In support) Representative Kagi, prime sponsor; Adam Cornell; Nancy Jo Jander, Court Appointed Special Advocate; Mary Herrick; Nicole LeMay; Janis Avery, Phoebe Anderson, and Kristin Reiter, Treehouse; Erika Martinez, Girl Scout; Laurie Lippold, Children's Home Society; Stephenie Burbach, Families for Kids Recruitment Resources; Greg Williamson, Office of the Superintendent of Public Instruction; Carol Taylor Cann, Washington State PTA; Mark Horberg; and Tess Thomas.

(With comments) LaVerne Lamoureux, Department of Social and Health Services; and Darlene Flowers, Foster Parents Association of Washington State.